

Ordinance No. 2837
CITY OF CONCORD

In the year of our Lord two thousand and eleven

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-2, Zoning Districts and Allowable Uses; Article 28-7, Access, Circulation, Parking, and Loading; and the Glossary

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-2, Zoning Districts and Allowable Uses, Section 28-2-4(j), Table of Principal Uses, by adding a new Principal Use, *Office/Warehousing/Industrial Flex Use*, as Principal Use L-11, and allowing it by right in the Industrial (IN) District, subject to the Supplemental Standards found in Section 28-5-24, Manufacturing, Testing, Processing, or Storage of Goods and Materials, and Section 28-5-37, Outside Storage of Materials and Inventory.

SECTION II: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-7, Access, Circulation, Parking, and Loading, Section 28-7-2(e), Table of Off-Street Parking Requirements Setbacks and Restrictions, by making changes to the Use description, the Unit of measurement, and Minimum Parking Spaces Required per Unit of Measurement as follows:

TABLE OF OFF-STREET PARKING REQUIREMENTS		
USES	UNIT OF MEASUREMENT	MINIMUM PARKING SPACES REQUIRED PER UNIT OF MEASUREMENT
PRINCIPAL USES		
B. EDUCATIONAL AND INSTITUTIONAL		
Child day care facility or nursery school	Gross floor area	One (1) per two hundred fifty (250) square feet
Adult day care facility	Gross floor area	One (1) per two hundred fifty (250) square feet
Environmental education or conservation center	Gross floor area of offices plus seating capacity or gross floor area of public assembly use*	One (1) per two hundred fifty (250) square feet plus required parking for public assembly use*
C. SERVICES - ENTERTAINMENT AND RECREATION		
Indoor health and fitness center, pool, gym or membership recreation facility	Gross floor area exclusive of tennis courts and pools, plus tennis courts, plus surface water area of pool	One (1) per one hundred twenty (120) square feet of floor area, plus three (3) per court, plus one (1) per one hundred (100) square feet surface water area

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TABLE OF OFF-STREET PARKING REQUIREMENTS		
USES	UNIT OF MEASUREMENT	MINIMUM PARKING SPACES REQUIRED PER UNIT OF MEASUREMENT
Outdoor commercial amusement facilities including miniature golf, batting cages, and pitching lanes	Miniature golf hole, batting cage, pitching lane	Two (2) per hole; two (2) per cage; two (2) per pitching lane; Other facilities determined by issuance of a conditional use permit by the Planning Board based on a use-specific parking study
D. SERVICES - PERSONAL AND BUSINESS		
General personal and business services	Gross floor area	One (1) per two hundred fifty (250) square feet
E. SERVICES - MEDICAL		
Offices of health care practitioners including clinics and outpatient health care	Gross floor area	One (1) per two hundred twenty-five (225) square feet
F. SERVICES - FINANCIAL AND PROFESSIONAL		
Other banking, financial, real estate, general business, government and professional offices	Gross area by floor	One (1) per three hundred (300) square feet
H. RETAIL TRADE (except motor vehicle sales and restaurant uses)		
Sales of goods and merchandise, including building construction materials, occupying up to one hundred thousand (100,000) square feet of gross floor area plus outside display area	Gross floor area, and outside area devoted to display of goods for sale	One (1) per two hundred fifty (250) square feet of gross floor area, and of the outside display area that is in excess of two hundred fifty (250) square feet
J. MOTOR VEHICLE SALES AND SERVICE		
Sales and installation of parts and accessories including tires, mufflers and glass, and lubrication services	Gross floor area of retail, plus service bays or stalls	One (1) per two hundred fifty (250) square feet, plus four (4) stacking spaces per bay or stall
K. TRANSPORTATION, COMMUNICATIONS AND UTILITIES		
Warehousing and wholesale storage and distribution facilities	Gross floor area	One (1) per one thousand five hundred (1,500) square feet
Bulk fuel storage for distribution	Gross floor area	Minimum of two (2) plus one (1) per one thousand five hundred (1,500) square feet

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TABLE OF OFF-STREET PARKING REQUIREMENTS		
USES	UNIT OF MEASUREMENT	MINIMUM PARKING SPACES REQUIRED PER UNIT OF MEASUREMENT
Radio or TV stations, offices, studios	Gross floor area	One (1) per three hundred (300) square feet
L. MANUFACTURING AND CONSTRUCTION		
Manufacturing, fabrication, and assembly industries	Gross floor area	One (1) per eight hundred (800) square feet
Materials recycling and processing	Gross floor area and outside storage yard area	One (1) per eight hundred (800) square feet gross floor area plus one (1) per five thousand (5,000) square feet of outside storage area
Printing and publishing	Gross floor area	One (1) per eight hundred (800) square feet
Food processing, wholesale bakery, or bottling of beverages	Gross floor area	One (1) per eight hundred (800) square feet
Building contractor yards including outside storage of equipment and materials	Yard storage area	One (1) per five thousand (5,000) square feet of yard area

* Refer to Section 28-7-2(d), Parking Requirements for Public Assembly Uses, of this ordinance

SECTION III: Further amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-7, Access, Circulation, Parking, and Loading, Section 28-7-2(e), Table of Off-Street Parking Requirements Setbacks and Restrictions, by adding new Principal Uses, together with related Unit of Measurement, and Minimum Parking Spaces Required per Unit of Measurement for each new Principal Use, as follows:

TABLE OF OFF-STREET PARKING REQUIREMENTS		
USES	UNIT OF MEASUREMENT	MINIMUM PARKING SPACES REQUIRED PER UNIT OF MEASUREMENT
PRINCIPAL USES		
C. SERVICES - ENTERTAINMENT AND RECREATION		

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TABLE OF OFF-STREET PARKING REQUIREMENTS		
USES	UNIT OF MEASUREMENT	MINIMUM PARKING SPACES REQUIRED PER UNIT OF MEASUREMENT
PRINCIPAL USES		
C. SERVICES - ENTERTAINMENT AND RECREATION		
Commercial Recreation Complex for team play	Gross floor area, or gross floor area of public assembly use	One (1) per three hundred (300) square feet or as required for public assembly use
H. RETAIL TRADE (except motorized vehicle sales and restaurant uses)		
Single or multi-tenant retail use occupying in excess of one hundred thousand (100,000) square feet of gross floor area, where less than ten percent (10%) of the gross floor area is occupied by non-retail use, and exclusive of any public assembly use.	Gross floor area exclusive of common pedestrian circulation areas within enclosed malls	One (1) per two hundred (200) square feet of gross floor area
Home Improvement Center or Furniture Store	Gross floor area and outside area devoted to display of goods for sale	One (1) per three hundred (300) square feet
L. MANUFACTURING AND CONSTRUCTION		
Office/Warehousing/Industrial Flex Use	Gross floor area	One (1) per four hundred (400) square feet

SECTION IV: Further amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Glossary, by adding the following definition to the Glossary:

Office/Warehousing/Industrial Flex Use. A mixed use comprised of office space, warehousing, and industrial uses including construction services, assembly, manufacturing, and equipment service and repair, and where no more than thirty percent (30%) of the gross floor area occupied by such a mixed use may be devoted to office space.

SECTION V: This Ordinance shall take effect upon its passage.

In City Council
July 11, 2011
Passed